



**DECLARATION AND POWER OF ATTORNEY**  
(Original Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**NOVEL GENES ENCODING PROTEINS HAVING DIAGNOSTIC,  
PREVENTIVE, THERAPEUTIC, AND OTHER USES**

the specification of which is attached hereto and/or was filed on June 14, 1999, as Application No.09/333,159.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**FOREIGN PRIORITY APPLICATION(S)**

**Priority Claimed**

☐ Yes ☐ No

\_\_\_\_\_  
(Number) (Country) (Day/month/year filed)

☐ Yes ☐ No

\_\_\_\_\_  
(Number) (Country) (Day/month/year filed)

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional patent application(s) listed below and have also identified below any

United States provisional patent application(s) having a filing date before that of the application on which priority is claimed:

**PROVISIONAL PRIORITY PATENT APPLICATION(S)**

**Priority Claimed**

**[X] Yes [ ] No**

\_\_\_\_\_  
(Application No.)

\_\_\_\_\_  
(Filing Date)

And I hereby appoint the registered attorneys and agents associated with **AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P., Customer No. 000570**, as my attorneys or agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.


Address all correspondence to **Customer No. 000570, namely, AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P., One Commerce Square, 2005 Market Street, Suite 2200, Philadelphia, Pennsylvania 19103**. Please direct all communications and telephone calls to **Gary D. Colby, Ph.D., J.D.** at 215-965-1285.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first

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Inventor's Signature

 Sean A. McCarthy

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12/12/01

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*(LOOSE NOTARIAL CERTIFICATE ATTACHED)*

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Inventor's Signature John D. Sharp

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Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

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Date November 7 2001

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Citizenship Australia

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*T.B.  
11/7/01*

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT



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On 12-17-01 before me, J. LILY TURNER  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared SEAN A. MC CARTHY  
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

**OPTIONAL**

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## Description of Attached Document

Title or Type of Document: DECLARATION AND POWER OF ATTORNEY

Document Date: 12-17-01 Number of Pages: 3

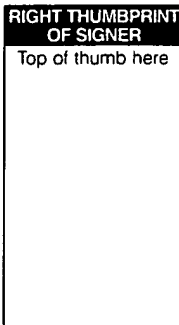
Signer(s) Other Than Named Above: X

## Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual
- ☐ Corporate Officer  
Title(s): \_\_\_\_\_
- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
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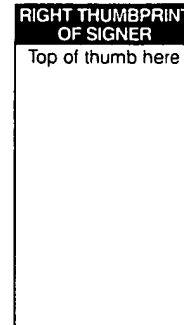
Signer Is Representing:  
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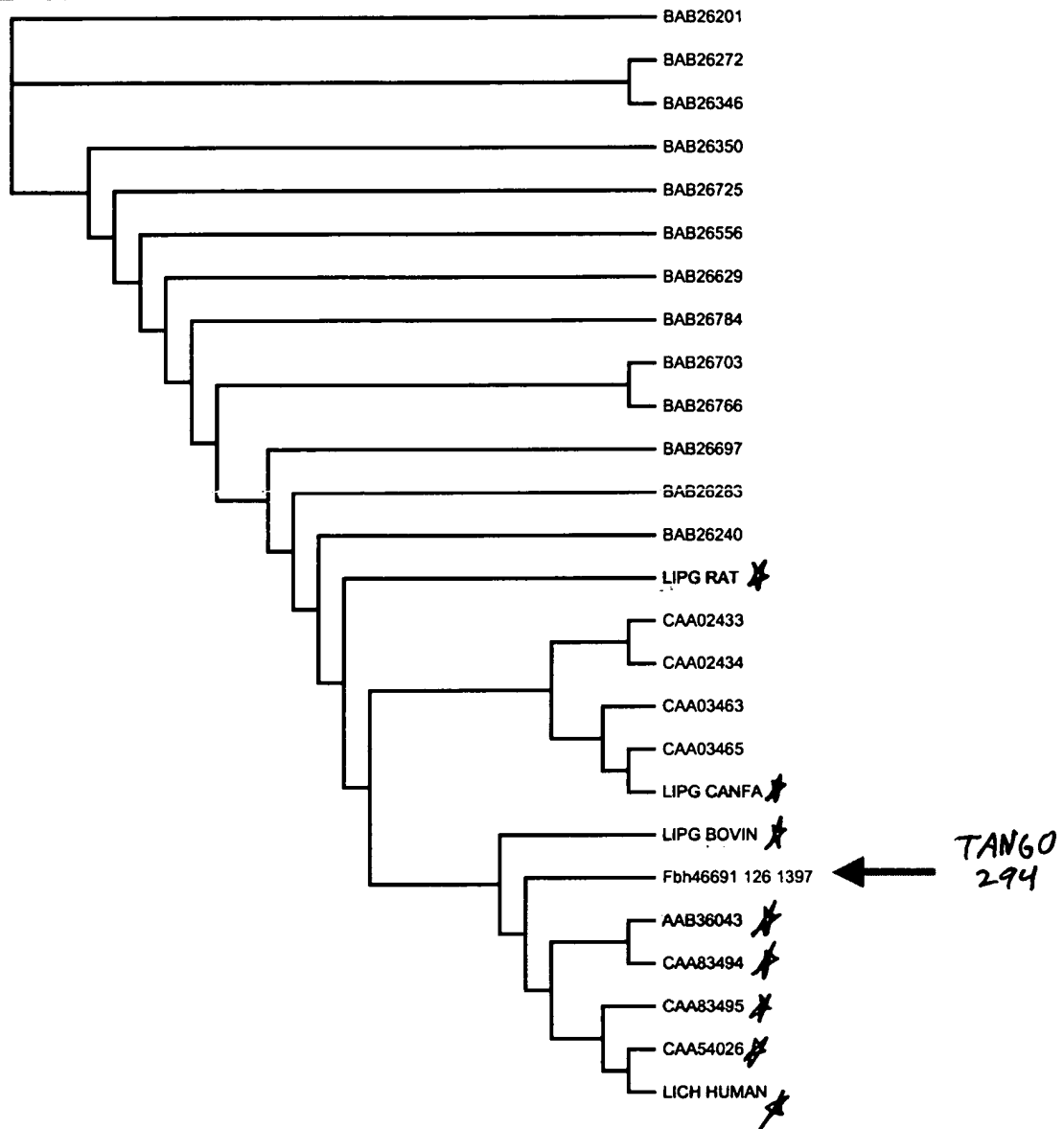
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- ☐ Trustee
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Signer Is Representing:  
\_\_\_\_\_  
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# Phylogenetic tree



see Key on next page for identities of proteins.

## Full BLAST R port

Program: BLASTP 2.OMP-WashU [07-Jun-2001] [sol2.6-ultra-ILP32F64 17:41:00 07-Jun-2001]

Query= Fbh46691\_126\_1397 - Import - vector trimmed  
(423 letters)

Database: protot 692,327 sequences; 220,281,154 total letters.

### References:

- Altschul, Stephen F., Warren Gish, Webb Miller, Eugene W. Myers, and David J. Lipman (1990). Basic local alignment search tool. *J. Mol. Biol.* 215: 403-10.
  - Altschul et al. (1997), Gapped BLAST and PSI-BLAST: a new generation of protein database search programs. *Nucl. Acids Res.* 25: 3389-3402.
  - Program Descriptions: [BLAST2](#) | [WU-BLAST2](#) | [Help Manual](#)
- HTML formatting provided by the [Bioperl Blast module](#).

Sequences producing High-scoring Segment Pairs:		High Score	Probability P(N)	N
emb	CAA54026 (X76488) sterol esterase [Homo sapiens] gb...	1290	<u>2.8e-131</u>	1
emb	CAA83495 (Z31690) lysosomal acid lipase [Homo sapien...	1290	<u>2.8e-131</u>	1
sp	P38571 LICH HUMAN LYSOSOMAL ACID LIPASE/CHOLESTERYL ES...	1289	<u>3.5e-131</u>	1
gb	AAB36043 (S81497) lysosomal acid lipase; LAL [Rattus ...	1220	<u>7.3e-124</u>	1
emb	CAA83494 (Z31689) lysosomal acid lipase [Mus musculus]	1196	<u>2.5e-121</u>	1
sp	P04634 LIPG RAT TRIACYLGLYCEROL LIPASE, LINGUAL PRECUR...	1166	<u>3.8e-118</u>	1
sp	P80035 LIPG CANFA TRIACYLGLYCEROL LIPASE, GASTRIC PREC...	1154	<u>7.2e-117</u>	1
emb	CAA03463 (A57756) unnamed protein product [unidentif...	1144	<u>8.2e-116</u>	1
emb	CAA03465 (A57760) unnamed protein product [unidentif...	1144	<u>8.2e-116</u>	1
sp	O29458 LIPG BOVIN TRIACYLGLYCEROL LIPASE, PREGASTRIC P...	1142	<u>1.3e-115</u>	1
emb	CAA02433 (A39301) unnamed protein product [unidentif...	1135	<u>7.4e-115</u>	1
emb	CAA02434 (A39303) unnamed protein product [unidentif...	1135	<u>7.4e-115</u>	1
dbj	BAB26283 (AK009431) putative [Mus musculus]	1134	<u>9.4e-115</u>	1
dbj	BAB26556 (AK009875) putative [Mus musculus]	1134	<u>9.4e-115</u>	1
dbj	BAB26697 (AK010093) putative [Mus musculus]	1134	<u>9.4e-115</u>	1
dbj	BAB26725 (AK010139) putative [Mus musculus]	1134	<u>9.4e-115</u>	1
dbj	BAB26201 (AK009300) putative [Mus musculus] dbj BAB...	1133	<u>1.2e-114</u>	1
dbj	BAB26272 (AK009413) putative [Mus musculus] dbj BAB...	1133	<u>1.2e-114</u>	1
dbj	BAB26766 (AK010203) putative [Mus musculus]	1131	<u>2.0e-114</u>	1
dbj	BAB26629 (AK009990) putative [Mus musculus]	1129	<u>3.2e-114</u>	1
dbj	BAB26346 (AK009537) putative [Mus musculus]	1128	<u>4.1e-114</u>	1
dbj	BAB26240 (AK009359) putative [Mus musculus]	1127	<u>5.2e-114</u>	1
dbj	BAB26350 (AK009544) putative [Mus musculus]	1126	<u>6.6e-114</u>	1
dbj	BAB26784 (AK010231) putative [Mus musculus]	1126	<u>6.6e-114</u>	1
dbj	BAB26703 (AK010103) putative [Mus musculus]	1125	<u>8.5e-114</u>	1
dbj	BAB26359 (AK009560) putative [Mus musculus]	1124	<u>1.1e-113</u>	1
dbj	BAB26651 (AK010026) putative [Mus musculus]	1124	<u>1.1e-113</u>	1
dbj	BAB26287 (AK009437) putative [Mus musculus]	1122	<u>1.8e-113</u>	1
sp	P07098 LIPG HUMAN TRIACYLGLYCEROL LIPASE, GASTRIC PREC...	1119	<u>3.7e-113</u>	1
dbj	BAB26733 (AK010148) putative [Mus musculus]	1119	<u>3.7e-113</u>	1
dbj	BAB26704 (AK010106) putative [Mus musculus]	1116	<u>7.6e-113</u>	1
dbj	BAB26746 (AK010173) putative [Mus musculus]	1115	<u>9.7e-113</u>	1
emb	CAA29414 (X05997) gastric lipase precursor [Homo sap...	1111	<u>2.6e-112</u>	1
emb	CAA03464 (A57758) unnamed protein product [unidentif...	1006	<u>3.4e-101</u>	1
emb	CAA94824 (Z70780) contains similarity to Pfam domain...	757	<u>8.4e-75</u>	1
gb	AAK68537 AC024835_3 (AC024835) Hypothetical protein Y5...	754	<u>1.7e-74</u>	1
gb	AAG45574 (AF067942) similar to lysosomal acid lipases...	753	<u>2.2e-74</u>	1
emb	CAB01973 (Z79696) predicted using Genefinder-Similar...	727	<u>1.3e-71</u>	1
dbj	BAB31766 (AK019504) putative [Mus musculus]	715	<u>2.4e-70</u>	1
gb	AAC69088 (AF022976) Hypothetical protein R11G11.14 [C...	706	<u>2.1e-69</u>	1
gb	AAC48051 (U64849) Contains similarity to Pfam domain:...	693	<u>5.1e-68</u>	1
emb	CAC27244 (AX068259) unnamed protein product [Homo sa...	685	<u>3.6e-67</u>	1
sp	O46108 LIP3 DROME LIPASE 3 PRECURSOR (EC 3.1.1.-). em...	663	<u>7.7e-65</u>	1
emb	CAB02896 (Z81055) Similarity to Human triacylglycero...	653	<u>8.8e-64</u>	1
gb	AAF52971 (AE003629) CG6113 gene product [Drosophila m...	649	<u>2.3e-63</u>	1
gb	AAF52985 (AE003629) CG17099 gene product [Drosophila ...	639	<u>2.7e-62</u>	1
gb	AAF58163 (AE003811) CG8093 gene product [Drosophila m...	629	<u>3.1e-61</u>	1
gb	AAC62229 (AF063014) yolk polypeptide 2 [Plodia interp...	623	<u>1.3e-60</u>	1
gb	AAF56528 (AE003754) CG5990 gene product [Drosophila m...	576	<u>2.2e-55</u>	1
dbj	BAA02091 (D12521) egg-specific protein precursor [Bo...	567	<u>1.1e-54</u>	1